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**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

IN RE: Bard IVC Filters Products Liability  
Litigation

MDL NO.: 15-02641-PHX-DGC

This Document Relates to:

EVAN HULICK,

Plaintiff,

Case No.: CV17-3178 PHX DGC

v.

C.R.BARD, INC., a New Jersey  
Corporation; and BARD PERIPHERAL  
VASCULAR INC., an Arizona  
Corporation, and NEOMETRICS, INC.,

**AMENDED MASTER SHORT FORM  
COMPLAINT FOR DAMAGES FOR  
INDIVIDUAL CLAIMS**

Defendants.

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Plaintiff named below, for his Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.364). Plaintiff further shows the Court as follows:

1. Plaintiff: Evan Casey Hulick
2. Spousal Plaintiff – not applicable.
3. Other Plaintiff – not applicable.
4. Plaintiff's State of residence at time of implant: NEW YORK.

5. Plaintiff's State of residence at time of injury: NEW YORK.
6. Plaintiff's current State of residence: NEW YORK.
7. District Court and Division in which venue would be proper absent direct filing:  
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA
8. Defendants:  
X C.R. Bard, Inc.  
X Bard Peripheral Vascular, Inc.  
X Neometrics, Inc.
9. Basis of Jurisdiction:  
  
X Diversity of Citizenship  
  
Other:
10. Defendants' Inferior Vena Cava Filter about which Plaintiff is making a claim:  
Denali IVC implanted January 2, 2016. Explant on 9/22/16 with Bard recovery cone.  
Migration issues – detachment of opaque marker ring of retrieval device.
11. Date of Implantation of each product: January 2<sup>nd</sup>, 2016 – Denali IVC filter  
9/22/16 – Recovery Cone Retrieval System.
12. Counts in Master Complaint brought by Plaintiff:  
  
Count I: Strict Products Liability – Manufacturing Defect  
  
Count II: Strict Products Liability – Information Defect (Failure to Warn)  
  
Count III: Strict Products Liability – Design Defect  
  
Count IV: Negligence – Design  
  
Count V: Negligence – Manufacture;  
  
Count VI: Negligence – Failure to Recall/Retrofit  
  
Count VII: Negligent – Failure to Warn  
  
Count VIII: Negligent Misrepresentation;

Count IX: Negligence Per Se

Count X: Breach of Express Warranty;

Count XI: Breach of Implied Warranty;

Count XII: Fraudulent Misrepresentation

Count XIII: Fraudulent Concealment;

Count: XIV: Violations of Applicable New York Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices

Count XV: Loss of Consortium

Count: XVI: Wrongful Death

Count XVII: Survival

Punitive Damages

Other(s)

13. Jury Trial demanded for all issues so triable?

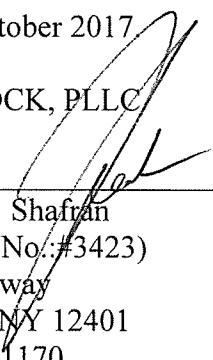
☒ Yes

☐ No

RESPECTFULLY SUBMITTED this 12th day of October 2017

SHAFRAN & ROCK, PLLC

BY: \_\_\_\_\_

  
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